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Report of the Working Group on the Universal Periodic Review*

Uzbekistan

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

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Comments of the Republic of Uzbekistan on the report of the Working Group on the Universal Periodic Review under the Human Rights Council

1. The Republic of Uzbekistan reaffirms its commitment to meeting its international human rights obligations, including those under the universal periodic review. Uzbekistan firmly supports the universal periodic review process; its universal and transparent nature offers all States an opportunity to inform the international community of their efforts to strengthen the promotion and protection of human rights and of their progress in this field.

2. Uzbekistan welcomes the outcome of the review of the situation in the country during the third cycle. In a short space of time, Uzbekistan has achieved real results in terms of improving the human rights situation and promoting State policy on the observance, promotion and protection of human rights.

3. During the review of the country's third report, on 9 May 2018, Uzbekistan received a total of 212 recommendations from Member States of the United Nations, of which the delegation of Uzbekistan accepted 201 during the review itself and took note of the remaining 11. Following a thorough process of national consultation, Uzbekistan now notes — rather than accepts — recommendations 101.29, 101.30 and 101.86, which had initially been accepted. In all, Uzbekistan has **accepted 198 recommendations**, the content and wording of which it supports, and others that have already been put into practice or are in the process of being implemented. This amounts to 93 per cent of the recommendations received. Uzbekistan **takes note of 14 recommendations** that it cannot implement either for legal or constitutional reasons, or because they go against the letter, spirit or practical application of the legislation in force and the country's national interests.

4. This document contains a statement of the position of Uzbekistan and its reasoning with regard to the recommendations received.

5. These comments were prepared with input from the relevant ministries and departments of Uzbekistan.

Section I of the report of the Working Group

6. **Paragraphs 15 and 89**. The **Act amending the Act on the Human Rights Commissioner (Ombudsman) of the Oliy Majlis** was adopted on 29 August 2017. The amendments strengthen the mechanisms in place to protect human rights and freedoms. In particular, the Ombudsman now has the right to file claims and complaints with the Constitutional Court and courts of general jurisdiction on behalf of citizens without paying the official fee; to submit reports on various aspects of human rights and freedoms to the chambers of the Oliy Majlis (the national parliament); and to petition the heads of State bodies and other organizations to take measures to remedy established violations of legislation on human rights and freedoms, as well as their causes and contributing circumstances. The status of the Ombudsman's regional representatives has been strengthened, and they now report annually on their work to protect human rights and freedoms to the Jokargy Kenes (parliament) of the Republic of Karakalpakstan, the provincial Kengashes of People's Deputies and the Kengash of People's Deputies of the city of Tashkent, as appropriate. The law has strengthened the legal status of the Ombudsman in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).

7. **Paragraph 19**. On 2 February 2018, a presidential decree was adopted on measures to dramatically improve efforts to support women and protect the institution of the family. It provides for comprehensive measures to strengthen the institution of the family and ensure that State bodies, civil society organizations and citizens participate actively and cooperate closely in that process. The decree requires State bodies to ensure the effective implementation of State policy aimed at supporting women; protect women's rights and legitimate interests; enhance women's role and participation in the country's public and political life; ensure that women's problems are promptly identified; and gather the names

and addresses of women in need of assistance or in difficult circumstances, including women with disabilities, and provide them with social, legal, psychological and financial assistance. It also requires them to provide women with direct and comprehensive support in accessing employment and better working conditions; heavily increase the involvement of women, in particular young girls in rural areas, in family and private enterprises and handicrafts; ensure that State bodies and civil society organizations cooperate closely in the early prevention of crime among women, principally through one-to-one support for those most likely to commit offences; and take measures to ensure the social rehabilitation and reintegration of women released from penal institutions.

8. A **framework for strengthening the institution of the family in the Republic of Uzbekistan** was approved by Presidential Decision No. PP-3808 of 27 June 2018. It is aimed principally at reinforcing the institutional and legal basis on which the institution of the family rests and enhancing social partnership; conducting fundamental, applied and innovative research on strengthening and developing the modern family; promoting demographic development and improving the well-being of families; strengthening the educational potential of the family, preserving traditional family values in society and enriching the spiritual and moral aspects of family life; and creating an effective system for providing meaningful guidance, advice and practical assistance to families.

9. **Paragraph 26**. The parliament was mandated to exercise oversight of the prevention and elimination of the use of child and forced labour in all their forms pursuant to a **decision of the Senate of the Oliy Majlis of 4 October 2017 on strengthening citizens' guaranteed labour rights in accordance with the legislation of the Republic of Uzbekistan and international labour standards**. The decision provides for the implementation of a range of organizational and practical measures in that regard. In the regions, local commissions made up of members of local representative bodies work to protect citizens' guaranteed labour rights.

10. Pursuant to **Cabinet of Ministers Decision No. 349 of 10 May 2018 on additional measures to eliminate forced labour in the Republic of Uzbekistan**, heads of government and economic management bodies at all levels must:

(a) Take swift action to prevent forced labour in all its forms, including when it is performed as work to improve public amenities and green spaces in districts and cities, scrap metal and waste paper collection and seasonal agricultural and similar work, particularly when carried out by workers in the education and health-care sectors, employees of publicly funded and other organizations and students and pupils of educational institutions;

(b) Take stringent disciplinary measures against all officials who directly or indirectly allow forced labour, particularly when carried out by workers in the education and health-care sectors, employees of publicly funded and other organizations and students and pupils of educational institutions;

(c) Transmit relevant information to the law enforcement agencies immediately so that, in all cases of forced labour, those responsible can be held to account.

11. The prevention of forced labour among teachers is a central focus of a **presidential decision of 14 August 2018 on improving efforts to nurture physically healthy and spiritually and intellectually well-developed young people and on enhancing the social status of teachers**. The decision stipulates that education workers may not be assigned to carry out work unrelated to their job description or perform forced labour, including work to improve public amenities and green spaces in districts and cities and seasonal agricultural and other work.

12. **Paragraph 58**. Court decisions are to be systematically published on the Supreme Court website under a procedure gradually being introduced pursuant to a **presidential decree of 13 July 2018 on measures to further improve the judicial system and build trust in the judicial authorities**. The aim of the procedure is to create more opportunities for open public dialogue and increase public involvement in the administration of justice. Measures have been taken to integrate information technologies into investigative practice, and projects are being conducted on the electronic handling of criminal cases and remote

questioning. Judges are now required, after rendering a decision, to explain their decision in court to the parties to the proceedings, and the presiding officers of provincial courts and their deputies hold quarterly briefings to keep the public and the media informed about the work of the courts.

13. A **framework for strengthening criminal law and the criminal procedure legislation of the Republic of Uzbekistan** has been approved. It provides for a plan to remedy the omissions, contradictions and gaps in the Criminal Code that hinder the effective protection of the rights and freedoms of citizens and the interests of society and the State.

14. **Presidential Decision No. PP-3827 of 2 July 2018 on measures to improve the system for the prevention of domestic violence and the social rehabilitation and reintegration of victims** identifies priorities for action. A programme of practical measures to improve the system in place to prevent domestic violence and ensure the social rehabilitation and reintegration of victims has been approved. The National Centre for the Rehabilitation and Reintegration of Victims of Violence and the Prevention of Suicides, a non-profit organization, was established to provide timely and targeted assistance and protection to victims of violence and to detect and prevent suicidal behaviour at an early stage.

15. Under this programme of measures, centres for the rehabilitation and reintegration of victims of violence and the prevention of suicides are gradually being established throughout the country, first in the Republic of Karakalpakstan, the provinces and the city of Tashkent, and subsequently in districts and cities, taking into account the population of each region.

16. **Paragraphs 25, 26, 61 and 84**. An advisory council on civil society development was established under the Office of the President pursuant to a **presidential decree of 4 May 2018 on measures to radically enhance the role of civil society organizations in the democratic renewal of the country**. Of its 42 members, 33 are representatives of non-governmental organizations. Its main aims are to initiate regular and effective dialogue between the State and civil society organizations at the highest level by serving as a modern, democratic and transparent forum in which their efforts to sustain the country's rapid and comprehensive development can be consolidated; to discuss issues currently affecting civil society and the public at large; and to keep the President updated on the state of the sector and current trends. The decree stipulates that all draft laws and regulations affecting the rights and legitimate interests of non-profit organizations must be agreed with the National Association of Non-Governmental Non-Profit Organizations.

17. The **Public Oversight Act** has been adopted to regulate the organization and conduct of public oversight of State bodies and institutions. Public oversight is conducted by citizens of the Republic of Uzbekistan, self-governing bodies, non-governmental organizations and media outlets registered in accordance with a procedure established by law. It can also be conducted by councils, commissions and other public organizations, in accordance with the law.

Section II of the report of the Working Group

A. International human rights obligations

18. Uzbekistan **accepts** the following recommendations:

101.1, 101.2, 101.3, 101.4, 101.5, 101.6, 101.7, 101.8, 101.9, 101.10, 101.11, 101.12, 101.13, 101.14, 101.15, 101.16, 101.17, 101.18, 101.19, 101.20, 101.21, 101.22, 101.23, 101.24, 101.25, 101.26, 101.27, 101.36, 101.37 and 101.84.

19. Uzbekistan **notes** the following recommendations:

101.29 and 101.30.

B. International human rights cooperation

20. Uzbekistan **accepts** the following recommendations:

101.28, 101.31, 101.32, 101.33, 101.34, 101.35, 101.38, 101.39, 101.40, 101.41, 101.42, 101.66, 101.67, 101.68, 101.123 and 101.148.

C. Human rights legislation and institutions

21. Uzbekistan **accepts** the following recommendations:

101.43, 101.45, 101.46, 101.48, 101.49, 101.51, 101.54, 101.55, 101.56, 101.57, 101.58, 101.59, 101.60, 101.61, 101.62, 101.63, 101.65, 101.91, 101.126, 101.152, 101.153 and 101.156.

D. Education, including human rights education

22. Uzbekistan **accepts** the following recommendations:

101.47, 101.105, 101.157 and 101.160.

E. Anti-Corruption

23. Uzbekistan **accepts** the following recommendations:

101.50 and 101.159.

F. Respect for human rights in the context of combating terrorism

24. Uzbekistan **accepts** the following recommendations:

101.52 and 101.53.

G. Interaction with civil society organizations and the work of non-governmental organizations

25. Uzbekistan **accepts** the following recommendations:

101.64, 101.115, 101.116, 101.117, 101.120, 101.121, 101.125 and 101.127.

H. Promotion and protection of human rights in places of deprivation of liberty

26. Uzbekistan **accepts** the following recommendations:

101.69, 101.70, 101.71, 101.72, 101.73, 101.74, 101.75, 101.76, 101.77, 101.78, 101.79, 101.80, 101.81, 101.82, 101.83 and 101.104.

I. Administration of justice and the judicial system

27. Uzbekistan **accepts** the following recommendations:

101.85, 101.87, 101.88, 101.89, 101.90 and 101.106.

28. Uzbekistan **notes** the following recommendation:

101.86.

J. Prohibition of forced labour

29. Uzbekistan **accepts** the following recommendations:

101.92, 101.124, 101.133, 101.138, 101.139, 101.140, 101.141, 101.142, 101.143, 101.144, 101.145 and 101.146.

K. Freedom of expression and freedom of the media, journalists and human rights defenders

30. Uzbekistan **accepts** the following recommendations:

101.93, 101.94, 101.95, 101.96, 101.97, 101.98, 101.101, 101.102, 101.103, 101.99, 101.100, 101.112, 101.113, 101.114, 101.118, 101.119 and 101.122.

L. Freedom of religion or belief

31. Uzbekistan **accepts** the following recommendations:

101.107, 101.108, 101.109, 101.110 and 101.111.

M. Countering trafficking in persons

32. Uzbekistan **accepts** the following recommendations:

101.128, 101.129, 101.130, 101.131, 101.132, 101.134, 101.135, 101.136 and 101.137.

N. Economic, social and cultural rights

33. Uzbekistan **accepts** the following recommendations:

101.44, 101.147, 101.149, 101.150, 101.151, 101.154 and 101.155.

O. Protection of vulnerable groups

34. Uzbekistan **accepts** the following recommendations:

101.158, 101.164, 101.165, 101.190, 101.191, 101.192, 101.193, 101.194, 101.195, 101.196, 101.197, 101.198, 101.199, 101.200 and 101.201.

P. Gender equality and women's rights

35. Uzbekistan **accepts** the following recommendations:

101.161, 101.162, 101.163, 101.166, 101.167, 101.168, 101.169, 101.170, 101.171, 101.172, 101.173, 101.174, 101.175, 101.176, 101.177, 101.178, 101.179, 101.180, 101.181, 101.182, 101.185, 101.187 and 101.189.

Q. Combating violence, including violence against women

36. Uzbekistan **accepts** the following recommendations:

101.183, 101.184, 101.186 and 101.188.

R. Sexual orientation

37. Uzbekistan **notes** the following recommendations:

102.1, 102.2, 102.3, 102.4, 102.5, 102.6, 102.7, 102.8, 102.9, 102.10 and 102.11.

38. The follow-up and implementation of recommendations are critical to the continued relevance of the universal periodic review. Uzbekistan will adopt a road map on the implementation of the recommendations received during the third cycle of the universal periodic review of the Human Rights Council, in May 2018, and will present a mid-term report on the progress made in putting them into practice.